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Patent
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REMARKS

The Office Action indicates that the subject matter of Claims 7-11 were allowed, and that Claims 2, 4-6, 12-15 and 17 would be allowed if rewritten to overcome 35 U.S.C. §112 objections.

Applicant has, accordingly, amended the rejected dependent claims to provide appropriate antecedent bases and to clarify the claim language. For example, the Office Action raised a question as to the second shaft with Claim 14. The correction to the claim clarifies that the same second shaft is being referred to as defined in Claim 12.

With regards to Claim 16, the size of the Banknote has been clarified and as can be seen from Figure 1, a Banknote is inserted and if authenticated, is deposited within the opening 24 to be vertically driven as shown in Figure 4 on one side of the pushing board 83. As shown in Figure 5, the pushing board then can cause the Banknote to be forced through the opening 88 by movement of the pushing board, so that the Banknote is inserted into the storing section. See Paragraph 58.

Claim 16 has been amended to indicate that the opening is smaller than the width of the Banknote.

The Office Action further raised an issue with regards to Claim 17, which is believed to be mooted by the amendment to Claim 17. Reference can be made, however, to Paragraph 48 on Pages 11 and 12, wherein the spring 93 provides a variable force. As noted in Paragraph 60, this amount of force is limited by the pulling force of the spring. The spring can elongate depending on the amount of stored Banknotes that will limit the relative movement of the pushing board.

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The Office Action rejected Claims 1, 3 and 16 as being anticipated under 35 U.S.C. §102(e) by the U.S. Patent Publication No. 2002/0175463, which also represents the joint invention of the present inventor, Takahito Yamamiya.

Applicant respectfully traverses the assertion that the U.S. Patent Publication (now U.S. Patent No. 6,659,452) represents an anticipation of the subject matter of Claims 1, 3 and 16. These claims define a non-rotationally displacing pushing board with a parallel linkage assembly to drive an accepted banknote into the banknote storing section.

The '452 patent bends the bill, b, into a U-shape, see Figure 12, to enter through opening 23 shown in Figure 5 with a pair of upper and lower storing bars 12 u and 12 l also pushing through the opening, see Column 9, Lines 26-29.

Subsequently, the respective upper bar 12 u and the lower bar 12 l are driven so that the upper bar 12 u extends vertically upward and the lower bar 12 l is driven vertically downward to straighten the bill, b, in the storing section. See Figure 13, Column 10, Lines 5-9.

Thus, the concept of non-rotationally displacing a pushing board to contact and move a banknote into the storing section with a parallel linkage assembly as shown on our Figure 5 and Figure 7 is not shown in the '452 patent.

Additionally, any similarities between the claim elements set forth in Claims 1, 3 and 16 that are purportedly found in the '452 patent also represent work that was performed by Takahito Yamamiya, including a transporting unit, for moving an accepted banknote to a position adjacent the banknote storing section, being mounted within and removable from the chassis. Additionally, a translating unit is connected to the transporting unit for displacing a pushing board, to move an accepted banknote to a position within the banknote storing section, and a driving lever for operatively exerting a force on the pushing board and the translating unit.

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Additionally, the provision of a translating unit including the pushing board and a parallel linkage assembly was further the work of Takahito Yamamiya, see attached Declaration.

Finally, a holding board that is biased towards the storing position of the banknote with a translating unit providing an opening that is more than a width of the banknote between a storing position and the holding board, and a pushing board of a size that passes through the translating unit for moving the banknote towards the holding board with a parallel linkage assembly for moving the pushing board linearly through the translating unit opening to operative position the banknote against the bias of the holding board, was the sole work of Takahito Yamamiya.

Since this inventor's work has been assigned to the same assignee, Asahi Seiko Company, Ltd., it is believed that the attached Declaration submitted pursuant to CFR §1.130 establishes that the prior publication is not proper prior art to this inventor.

Additionally, the *Abe et al* (U.S. Patent No. 6,659,452), as can be seen from the claims, does not prevent an issue of double patenting relative to the presently allowed claims.

Finally, the disclosure in the *Abe et al* reference having generic items such as a chassis, banknote accepting unit and a safe unit removable from the chassis, is directed toward a different type of translating unit, which does not employ a pushing with a non-rotational displacing of a pushing board with a parallel linkage assembly as claimed herein. As such, neither the patent publication nor the resulting U.S. Patent 6,659,452, can be hypothetically a 35 U.S.C. §102 anticipation of the present claims.

It is believed that the submitted Declaration along with the attached Terminal Disclaimer resolves this issue, and places the case in condition for allowance.

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If there are any questions with regards to this matter, the undersigned attorney would appreciate a telephone conference.

I hereby certify that this correspondence is being transmitted via facsimile to the USPTO at 571-273-8300 on August 31, 2006.

Very truly yours,


SNELL & WILMER L.L.P.

By: Sharon Farnus

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Signature

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